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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,269	02/08/2001	Yoshinobu Murai	P/126-199	4115
7590	10/08/2004			
Steven I Weisburd Esq Dickstein Shapiro Morin & Oshinsky LLP 1177 Avenue of the Americas - 41st Floor New York, NY 10036-2714				EXAMINER JACKSON, JAKIEDA R
			ART UNIT 2655	PAPER NUMBER

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/779,269	MURAI, YOSHINOBU
	Examiner	Art Unit
	Jakieda R Jackson	2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10/1/04.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 3,5,6 and 10-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 3,5,6 and 10-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 February 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the Office Action mailed January 15, 2004, applicant submitted an Amendment filed on April 15, 2004, in which the applicant requested reconsideration based on the amended claims 3, 5, 6 and 10-12 and cancelled claims 1, 2, 4, 7-9 and 13-15. The finality of the Advisory Action mailed on September 28, 2004 is hereby withdrawn based on applicant's attorney, Ian Bloom's, arguments during a telephonic interview on October 1, 2004. The original rejection presented still stands, and alternative rejections have been provided.

### ***Response to Arguments***

2. Applicant argues that Hirohama nor Sawada, whether considered individually or in reasonable combination does not disclose or teach a portable type voice reproducer comprising an attachable and detachable voice message data storage medium storing a plurality of voice message data in a plurality of languages. Although the original rejection stands, applicant's arguments with respect to claim 3 and 10 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 3, 5, 6 and 10-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirohama (U.S. Patent No. 5,797,125) in view of Sawada (U.S. Patent No. 5,754,430).

Regarding **claim 3**, Hirohama discloses a portable voice reproducer (portable terminal units; column 1, lines 29-33), which reproduces and outputs a voice message (column 4, lines 40-53) selected from a plurality of voice message data (one or more guide area generating voice; column 1, lines 55-57), the portable type voice reproducer comprising:

a control signal detector (control center; figure 3, element 5) receiving and detecting a control signal (receiver; figure 3, element 29) that originates from outside the portable type voice reproducer (column 4, lines 54-62), the control signal being used to select one kind of voice message data (column 3, lines 16-29), wherein a start button (keys) controls the operation of the control signal detector (column 3, lines 25-29 and column 4, lines 1-16). It is inherent that the

"selection means consisting of ten keys" would provide a start button to select one of the booths and once the desired booth is selected, the chosen booth will begin delivering the information.

Hirohama's portable type voice reproducer also comprises:

a voice message data storage medium (figure 2, element 11) storing the plurality of voice message data (pieces of guide information), the voice message data being in a plurality of languages (various languages; Japan, English, German, etc.) organized in classes (terminal units 4A, 4B, 4N etc.) according to a language of the voice message data (column 3, lines 15-29 with lines 43-52);

a class selector (selection means; figure 2, element 13) selecting a class (terminal unit) corresponding to a particular language (column 3, lines 15-29);

a voice message data retrieval circuit (figure 2 with figure 3) receiving (receiver; figure 3, element 29) the control signal detected by the control signal detector (control center; figure 3, element 5), receiving the selected class from the class selector (figure 2, element 13) and retrieving voice message data corresponding to the received control signal (column 3, lines 52-53) from the voice message data storage medium (storage means; figure 2, element 12);

a voice reproduction circuit (D/A converting section; figure 2, element 21) converting the voice message data received (digital guide information) from the voice message data retrieval circuit to an audible signal (into analog information; column 3, lines 39-42); and

a voice output device (speakers/earphones) outputting the audible signal (column 1, lines 14-19 and column 3, lines 40-41), but lacks the storage medium being attachable and detachable.

Sawada discloses a navigation system that discloses a storage medium being attachable and detachable (column 11, lines 43-45), to allow convenience and flexibility of destination setting and course suitability.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hirohama's invention such that the storage medium is attachable and detachable, to expand and augment the data stored in the storage medium, which allows the convenience and flexibility of destination setting (column 11, line 46) and allows the medium to be maneuvered as much as necessary.

Regarding **claim 5**, Hirohama discloses a portable type voice reproducer wherein the control signal is a radio signal of a faint power level (less power; column 1, lines 29-33), and the control signal detector receives the radio signal from outside the portable type voice reproducer (portable terminal units; column 1, lines 29-33) through an antenna (receiving section; figure 2, element 19; column 4, lines 54-58).

Regarding **claim 6**, Hirohama discloses a portable type voice reproducer wherein the control signal is a light signal (infrared light), and the control signal detector receives and detects the light signal from outside the portable type voice reproducer (column 3, lines 8-19).

Regarding **claim 10**, Hirohama discloses a guide system (guide system) that guides a user through plurality of guide objects (exhibition rooms/guide area) by a voice message (voice generating means; figure 2, element 14) corresponding to each of the guide objects (column 1, lines 41-63), the guide system comprising:

control signal transmitters (transmitting units; figure 1, 4A, 4B, 4N), each of which is respectively arranged at one of the guide objects and transmits a control signal for discrimination of one guide object from another (identification code/address information; column 2, lines 38-43); and

a portable type voice reproducer (column 1, lines 29-33), that reproduces and outputs a voice message (figure 2, element 14) selected from a plurality of voice message data (pieces of guide information; column 3, lines 19-23), the portable type voice reproducer comprising:

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a control signal detector (control means; figure 3, element 5) receiving and detecting a particular control signal transmitter (terminal unit; figure 1, element 4A; column 3, lines 52-53 with lines 1-7), wherein a start button (keys) controls the operation of the control signal detector (column 3, lines 25-29 and column 4, lines 1-16). It is inherent that the "selection means consisting of ten keys" would provide a start button to select one of the booths and once the desired booth is selected, the chosen booth will begin delivering the information.

Hirohama's portable type voice reproducer also comprises:

a voice message data storage medium (figure 2, element 11) storing the plurality of voice message data (pieces of guide information), the voice message

data being in a plurality of languages (various languages; Japan, English, German, etc.) organized in classes (terminal units 4A, 4B, 4N etc.) according to a language of the voice message data (column 3, lines 15-29 with lines 43-52);

a class selector (selection means; figure 2, element 13) selecting a class (terminal unit) corresponding to a particular language (column 3, lines 15-29);

a voice message data retrieval circuit (figure 2 with figure 3) receiving (receiver; figure 3, element 29) the control signal detected by the control signal detector (control center; figure 3, element 5), receiving the selected class from the class selector (figure 2, element 13) and retrieving voice message data corresponding to the received control signal (column 3, lines 52-53) from the voice message data storage medium (storage means; figure 2, element 12);

a voice reproduction circuit (D/A converting section; figure 2, element 21) converting the voice message data received (digital guide information) from the voice message data retrieval circuit to an audible signal (into analog information; column 3, lines 39-42); and

a voice output device (speakers/earphones) outputting the voice message reproduced by the voice reproduction circuit (column 1, lines 14-19 and column 3, lines 40-41), but lacks a storage means (figure 2, element 12) storing the voice-data (column 3, lines 19-25), but lacks the storage medium being attachable and detachable.

Regarding **claim 11**, Hirohama discloses a guide system wherein the control signal is a radio signal of a faint power level (less power; column 1, lines 29-33), and the control signal detector receives the radio signals from said

control signal transmitters through an antenna (receiving section; figure 2, element 19; column 4, lines 54-58).

Regarding **claim 12**, Hirohama discloses a guide system wherein said control signal is a light signal (infrared light), and the control signal detector receives and detects the light signals from outside the control signal transmitters (column 3, lines 8-19).

5. **Claims 3 and 10** are alternatively rejected under 35 U.S.C. 103(a) as being unpatentable over Hirohama (U.S. Patent No. 5,797,125) in view of Palisson et al. (U.S. Patent No. 5,835,854), hereinafter referenced as Palisson.

Regarding **claims 3 and 10**, Hirohama discloses a portable voice reproducer (portable terminal units; column 1, lines 29-33) and a guide system (column 1, lines 9-11), which reproduces and outputs a voice message (column 4, lines 40-53) selected from a plurality of voice message data (one or more guide area generating voice; column 1, lines 55-57), the portable type voice reproducer comprising:

a control signal detector (control center; figure 3, element 5) receiving and detecting a control signal (receiver; figure 3, element 29) that originates from outside the portable type voice reproducer (column 4, lines 54-62), the control signal being used to select one kind of voice message data (column 3, lines 16-29), wherein a start button (keys) controls the operation of the control signal detector (column 3, lines 25-29 and column 4, lines 1-16). It is inherent that the

"selection means consisting of ten keys" would provide a start button to select one of the booths and once the desired booth is selected, the chosen booth will begin delivering the information.

Hirohama's portable type voice reproducer also comprises:

a voice message data storage medium (figure 2, element 11) storing the plurality of voice message data (pieces of guide information), the voice message data being in a plurality of languages (various languages; Japan, English, German, etc.) organized in classes (terminal units 4A, 4B, 4N etc.) according to a language of the voice message data (column 3, lines 15-29 with lines 43-52);

a class selector (selection means; figure 2, element 13) selecting a class (terminal unit) corresponding to a particular language (column 3, lines 15-29);

a voice message data retrieval circuit (figure 2 with figure 3) receiving (receiver; figure 3, element 29) the control signal detected by the control signal detector (control center; figure 3, element 5), receiving the selected class from the class selector (figure 2, element 13) and retrieving voice message data corresponding to the received control signal (column 3, lines 52-53) from the voice message data storage medium (storage means; figure 2, element 12);

a voice reproduction circuit (D/A converting section; figure 2, element 21) converting the voice message data received (digital guide information) from the voice message data retrieval circuit to an audible signal (into analog information; column 3, lines 39-42); and

a voice output device (speakers/earphones) outputting the audible signal (column 1, lines 14-19 and column 3, lines 40-41), but lacks the storage medium being attachable and detachable.

Hirohama does not disclose the storage medium being attachable and detachable, but Pallison discloses a multilingual message information system comprising:

an attachable and detachable voice message data storage medium (a removable memory card; figure 2, element 23) storing the plurality of voice message data (sequence of phonemes), the voice message data being in a plurality of languages (various languages) organized in classes (corresponding to the user's nationality) according to a language of the voice message data (column 4, lines 22-32), to obtain messages relating to the route he/she is following in the language of choice.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hirohama's reproducer and guide system such that it comprises an attachable and detachable voice message data storage medium storing the plurality of voice message data in a plurality of languages, to obtain messages relating to the route he/she is following in the language of choice (column 1, lines 28-34).

It is evident that a person skilled in the art would have known to adapt this description to the case of a navigation system or a routing system, because the part that implements the invention may be the same both in a car radio and in a navigation system (column 2, lines 52-60).

6. **Claims 3 and 10** are further alternatively rejected under 35 U.S.C. 103(a) as being unpatentable over Hirohama (U.S. Patent No. 5,797,125) in view of Maruyama et al. (U.S. Patent No. 5,835,854), hereinafter referenced as Maruyama in further view of Siegle et al. (U.S. Patent No. 6,647,251), hereinafter referenced as Siegle.

Regarding **claims 3 and 10**, Hirohama discloses a portable voice reproducer (portable terminal units; column 1, lines 29-33) and a guide system (column 1, lines 9-11), which reproduces and outputs a voice message (column 4, lines 40-53) selected from a plurality of voice message data (one or more guide area generating voice; column 1, lines 55-57), the portable type voice reproducer comprising:

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a control signal detector (control center; figure 3, element 5) receiving and detecting a control signal (receiver; figure 3, element 29) that originates from outside the portable type voice reproducer (column 4, lines 54-62), the control signal being used to select one kind of voice message data (column 3, lines 16-29), wherein a start button (keys) controls the operation of the control signal detector (column 3, lines 25-29 and column 4, lines 1-16). It is inherent that the "selection means consisting of ten keys" would provide a start button to select one of the booths and once the desired booth is selected, the chosen booth will begin delivering the information.

Hirohama's portable type voice reproducer also comprises:

a voice message data storage medium (figure 2, element 11) storing the plurality of voice message data (pieces of guide information), the voice message data being in a plurality of languages (various languages; Japan, English, German, etc.) organized in classes (terminal units 4A, 4B, 4N etc.) according to a language of the voice message data (column 3, lines 15-29 with lines 43-52);

a class selector (selection means; figure 2, element 13) selecting a class (terminal unit) corresponding to a particular language (column 3, lines 15-29);

a voice message data retrieval circuit (figure 2 with figure 3) receiving (receiver; figure 3, element 29) the control signal detected by the control signal detector (control center; figure 3, element 5), receiving the selected class from the class selector (figure 2, element 13) and retrieving voice message data corresponding to the received control signal (column 3, lines 52-53) from the voice message data storage medium (storage means; figure 2, element 12);

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a voice reproduction circuit (D/A converting section; figure 2, element 21) converting the voice message data received (digital guide information) from the voice message data retrieval circuit to an audible signal (into analog information; column 3, lines 39-42); and

a voice output device (speakers/earphones) outputting the audible signal (column 1, lines 14-19 and column 3, lines 40-41), but lacks the storage medium being attachable and detachable.

Hirohama does not disclose the storage medium being attachable and detachable, but Maruyama discloses an information guiding system and method with portable terminal units comprising:

an attachable and detachable voice message data storage medium (potable terminal units; figure 12) storing the plurality of voice message data (audio information), the voice message data being in a plurality of languages (Japanese, German, Spanish, Chinese, English etc.) organized in classes (changing different languages) according to a language of the voice message data (column 16, lines 15-42), so select language and other information while listening to the audio information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hirohama's reproducer and guide system such that it comprises an attachable and detachable voice message data storage medium storing the plurality of voice message data in a plurality of languages, so that the carrier of the portable terminal unit can listen to the explanation at the selected information depth with the desired degree of detailedness of explanation (column 16, lines 15-21).

Hirohama nor Maruyama's system and method does not specifically teach that the memory inside the portable units are attachable and detachable.

Siegle discloses a travel system disclosing a solid state chip card (figure 2 with figure 3, element 19, 18 and 21) that can be removably inserted (column 3, line 13) that contains a plurality of languages selectable by the user (claim 1), which collects the required data (column 4, lines 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hirohama in combination with Maruyama's reproducer and guide system, such that the memory inside the

portable units are attachable and detachable, as taught by Siegle, such that the  
data memory is easily exchangeable for updating (column 1, lines 44-47).  
*cf.*

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Suzuki (U.S. Patent No. 6,317,715) discloses a direction guidance from voice reproduction apparatus and system.
- Junqua et al. (U.S. Patent No. 6,233,561) discloses a method goal-oriented speech translation in hand-held devices using meaning extraction and dialogue.
- Hale et al. (U.S. Patent No. 6,785,539) discloses a system and method of wirelessly triggering portable devise.
- Braegas (U.S. Patent No. 5,465,088) discloses a receiver for traffic messages.
- Alperovich et al. (U.S. Patent No. 6,175, 743) discloses a system and method for delivery of short message service messages to a restricted group of subscribers.
- Cronin et al. (U.S. Publication No. 2002/0137502) discloses downloading of user interface elements into a mobile phone.
- Kikinis et al. (U.S. Patent No. 5,634,080) discloses a hand-held portanle computer having an electroluminescent flat-panel display.

- Kikinis et al. (U.S. Patent No. 5,689,654) discloses a digital assistant system.
- Breedlove et al. (U.S. Patent No. 4,631,748) discloses an electronic handheld translator having a miniature electronic speech synthesis chip.

8. Applicant's amendment of April 15, 2004 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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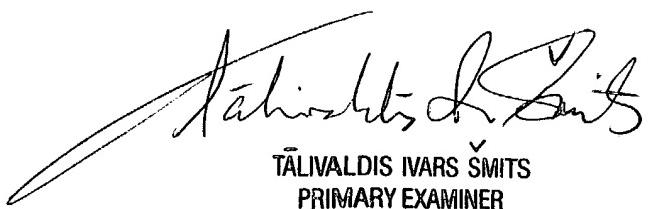
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 703.305.5593. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703. 305.4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JRJ  
October 5, 2004



TĀLIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER